

June 26, 2002

Ms. Marlene H. Dortch  
Secretary, Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Re: *Miscellaneous Proceedings Concerning Advanced Telecommunications  
Capability* -- CC Docket Nos. 98-147, 01-338 and 02-33

Ex parte presentation pursuant to C.F.R. §1.1206(a)(1)

Dear Ms. Dortch:

Catena Networks, Inc. ("Catena") met today with Commissioner Abernathy, along with Matthew Brill of the Commissioner's staff. Representing Catena were Jim Hjartarson, Doug Cooper and myself. Catena emphasized the need for prompt action by the Commission, because the current uncertainty was impeding investments by the carriers in remote terminal equipment such as Catena's. We explained how Catena's integrated line card technology provides a superior engineering solution to the problem of broadband deployment from certain legacy remote terminals to unserved and underserved consumers. We also emphasized the need for prompt action to remove the current regulatory uncertainty, and indicated that we thought that the Commission's seeking certiorari of the recent Court of Appeals decision could needlessly delay the resolution of these broadband proceedings. Finally, Catena repeated the importance of establishing a nationwide policy, because the states were beginning to implement inconsistent obligations that in many cases were delaying or stopping investment in new broadband technologies by the incumbent carriers. Please contact the undersigned if you have any questions with regard to this submission.

Respectfully submitted,

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cc: Commissioner Abernathy  
Matt Brill